# Public Service Commission of Wisconsin

**Rebecca Cameron Valcq, Chairperson**
**Ellen Nowak, Commissioner**
**Mike Huebsch, Commissioner**

**4822 Madison Yards Way**
**P.O. Box 7854**
**Madison, WI 53707-7854**


September 26, 2019

Re: Application of the City of Waukesha, as a Water Public Utility, for Authority to Construct Water Transmission Main, a Booster Station, Reservoirs and a Water Supply Control Building in the City of Waukesha, the City West Allis, the City of Greenfield, the City of New Berlin, and the Town of Waukesha, Waukesha County, and in the City of Milwaukee, Milwaukee County, Wisconsin.

6240-CW-117

To the Person Addressed:

The Waukesha Water Utility (WWU) filed an application with the Public Service Commission (Commission) on November 9, 2018, seeking authority to construct and install water supply facilities in Milwaukee and Waukesha Counties, Wisconsin. These water supply facilities would connect a supply of water from the Milwaukee Water Works (MWW) to the existing WWU distribution facilities and provide a new source of drinking water for the customers of WWU. Water supplied from MWW is sourced from Lake Michigan, and the city of Waukesha received permission to use a supply of Great Lakes water from the Great Lakes-St. Lawrence River Basin Water Resources Compact Council (Compact Council) in June, 2016. The Commission is the state agency that regulates utilities and investigates proposed energy or water infrastructure projects of a given size or cost.

This is a Type II action under Wis. Admin. Code § PSC 4.10(2). Type II actions require the preparation of an environmental assessment (EA) to determine whether an environmental impact statement (EIS) is necessary under Wis. Stat. § 1.11. A notification[1] of the Commission's intent to prepare an EA, including a solicitation for comments on the environmental aspects of this project, was mailed to landowners, local and regional media, affected municipal entities, the regional planning commission, and area legislators along the proposed route on December 4, 2018. An EA was prepared by Commission staff after receiving public comments and updated application documents from WWU.

The preliminary determination of the EA indicates that no significant impacts on the human or natural environment are likely to occur as a result of the construction of this project and operation of the water supply facilities for any of the routes under consideration. Therefore, preparation of an EIS is not required. Comments regarding this determination can be directed to the contact person listed at the end of this letter. The remainder of this letter describes the primary impacts of the route options and summarizes the conclusions of the EA. To obtain a copy of the EA, please request a copy from the contact person listed at the end of this letter.

[1] PSC REF#: 354451

**Proposed Project**
Waukesha states in its application that the proposed project is needed to provide a long-term, safe, and sustainable water supply for the city of Waukesha. The proposed water supply project would consist of a water connection at the water supplier (MWW), a water supply pipeline, a booster pumping station and water reservoirs, a new water supply control building and connection to the existing WWU distribution system. The water supply pipeline would be made up of 30-inch and 36-inch ductile iron pipe depending on the location of the pipeline. The entire length of the water supply pipeline would be approximately 11.5 miles long (which includes some pipeline that would be owned by MWW). An additional return flow pipeline, not the subject of this construction authorization application, would be constructed to return treated wastewater to the Great Lakes via an outflow site on the Root River.

If this project is approved, construction is anticipated to begin in mid-2020 and conclude in late 2022. Site preparation activities would include clearing vegetation and grading soil, as needed, to provide a level work area for pipe laying and transport. Where construction would occur adjacent to roads, the road shoulder would likely be closed to provide more room for construction crews. The installation of the water supply pipeline would predominately be done through open trenching, where any hard surface or paving and soils are excavated and then replaced after the pipe is installed.

Construction equipment to be used includes dozers, graders, excavators, trenchers, backhoes, dump trucks, and various other trucks or machinery. Trench sizes can vary depending on construction areas, available space, any existing infrastructure, or environmental requirements. Common trench dimensions would be approximately 14-feet wide by 10-feet deep. Where the water supply pipeline would be installed next to the return flow pipeline, the trench would be 24-feet wide to accommodate both pipes. The overall area of construction disturbance where a single pipe is installed via trenching would be limited to 50-feet. Where the water supply and return flow pipeline would be installed in adjacent trenches, the construction disturbance area would be up to 60-feet. One easement would be necessary for the water supply pumping station in the city of Milwaukee, but no other easements would be needed from private landowners for the construction of the water supply pipeline or other facilities.

**Potential Natural Resource and Social Impacts**
The EA reviews and describes the environmental impacts from the construction of the pipelines and facilities needed to provide a source of Great Lakes water to WWU customers. However, for background information and context, Commission staff reviewed the EIS produced by the Department of Natural Resources (DNR) regarding the DNR's analysis of the environmental impacts of using Great Lakes water to supply WWU's customers. The DNR has a webpage[2] devoted to the Waukesha Water Diversion project, which includes information and links related

[2] https://dnr.wi.gov/topic/EIA/waukesha/PermitsReview.html

to the Great Lakes water use application, the Compact Council, the WEPA process and associated documents including the EIS, and many other related items. There has been substantial analysis and opportunity for the public to comment on the use of Great Lakes water during the DNR process, and the Commission considers the staff that completed the DNR's EIS to be subject matter experts that the Commission would need to consult with to conduct any analysis on this subject. As such, even though the use of the Great Lakes Water is beyond the scope of the proceedings in this docket, it is prudent for the Commission to acknowledge the EIS done on the use of Great Lakes water by the DNR, and conduct this EA primarily on the more specific impacts associated with the construction of the water supply facilities. The Commission recognizes the expertise of staff at the DNR in conducting such a review, and notes that the DNR has found the use of Great Lakes water for the supply of WWU water is permittable.

The proposed water supply pipeline would impact seven wetlands and cross seven waterways. There would be slightly more than one acre of temporary wetland impacts due to construction activities. Less than one tenth of an acre is proposed to be permanently impacted by the water supply facilities. For the return flow pipeline, there are 5.9 acres of temporary impacts to wetlands and no acres of permanent impacts to wetlands. In suitable areas, directional drilling construction methods would be used to decrease the risk of impacts to wetlands and waterways. The use of directional drilling has a risk of "frac-outs," which are uncommon, but can occur and cause drilling mud to leak through subsurface fissures and into wetlands or waterways. The risk of frac-outs can be reduced through proper geotechnical assessment practices, drill planning, and execution of the directional drilling.

A review of the DNR's database of threatened and endangered species was done for the project area. There are a number of recommended actions identified by the review to reduce the chance of adverse impacts to rare species along the water supply pipeline route. As all construction activities would be limited to agricultural fields, roads, or existing road ROW, there would be no impacts to forested lands along the project route. A number of invasive species are found in the project area, and the disturbance caused by construction activities can create the opportunity for introduction and spread of invasive plants. DNR Best Management Practices would be implemented to reduce the risk of unintentional introduction or movement of invasive species.

A search of the Wisconsin Historic Preservation Database was done to evaluate the potential for historic resources in the project area. Some archaeological survey work was also done by a consultant for WWU. Historic resources, including burial sites and historic structures, are found along the proposed project route. WWU's consultants recommend actions to avoid impacting the landscape near historic resources. Additional recommendations or required actions were identified by the Commission's Historic Preservation Officer to reduce the chance of impacts to historic resources. These actions would prevent significant impacts to historic resources.

The proposed project would create increased noise, vibrations, and air pollution in the areas of construction. Individuals in the immediate vicinity of construction activities would experience these impacts from construction activities and may find them annoying or disruptive. Where the route would cross roads or driveways, there would be impacts to landowners or those driving in the area. Some roads and driveways would likely experience closures for some duration. WWU would provide affected landowners with advanced notice of when construction is anticipated to begin in their area, and WWU's contractors would repair driveways and roads to previous conditions after pipeline installation. Localized dust and diesel fumes would be expected as a result of construction activity and vehicle traffic. The potential for erosion and runoff would be expected in areas of excavation or materials storage. The use of BMPs and appropriate erosion control measures should avoid or minimize this risk.

**Conclusion**
No significant or long-term environmental effects would be expected to result from the proposed project along the potential routes as described with stated construction methods and mitigation plans. The primary community impacts include localized noise, vibrations, dust, and diesel fumes. In addition, some lane closures and traffic congestion would likely occur along the project route as construction activities are in a given area. All of these impacts would be short-term. No environmental impacts that would warrant the preparation of an EIS are expected. Thus, preparation of an EIS as described in Wis. Stat. § 1.11 is not required for this project.

Copies of the EA are available upon request, either in electronic or paper format (for a paper copy, an address must be provided). Requests for a copy of the EA should be made to Adam Ingwell at the Public Service Commission of Wisconsin by telephone at (608) 267-9197, by e-mail at adam.ingwell@wisconsin.gov, or by post directed to Adam Ingwell at the Public Service Commission, P.O. Box 7854, Madison, Wisconsin 53707-7854.

Comments on the finding of no significant impact for this proposed project should be made to Adam Ingwell at the address above, or by email at adam.ingwell@wisconsin.gov.

**All comments must be received by Monday October 21, 2019.**

Sincerely,

Adam Ingwell
Environmental Affairs Coordinator – Supervisor
Division of Digital Access, Consumer and Environmental Affairs

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